UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,965	01/29/2004	Chi-Yu Ho	0941-0905P	2353

2292 7590 01/02/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747	**EXAMINER** BRANDT, CHRISTOPHER M

ART UNIT	PAPER NUMBER
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/02/2007	ELECTRONIC

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PTOL-90A (Rev. 10/06)

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _29 January 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-10_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-10_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _29 January 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 6 is objected to because of the following informalities: Claim 6 does not end with

a period. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-10 are rejected under 35 USC 103(a) as being unpatentable over **Bergeron et**

al. (US Patent 6,947,431 B1) in view of **Featherstone et al. (US PGPUB 2004/0114610 A1)**.

Consider **claim 1**. Bergeron et al. (hereinafter Bergeron) disclose a method for enabling a wireless device to transmit and receive data receiving through a personal computer, comprising the steps of:

providing a wireless device (mobile unit 21), comprising a first data link port and a data terminal equipment (column 4 line 44 –column 5 line 3, read as a mobile unit 21 includes Sub ID numbers that are linked with source port 165 and the destination port 166 used for communication);

providing a personal computer, comprising a second access port, a second data link port, and a packet router (column 4 line 44 – column 5 line 3, read as the gateway allows any wireless device to communicate using the Internet protocol. In addition, the gateway 10 comprises a router whose goal is to route incoming and outgoing traffic. More precisely, the router can allow at least one computer located in a part or a sub part of the network 19 to communicate with at least one mobile unit 21);

coupling the wireless device and the personal computer using the first data link port and the second data link port via a medium , (column 4 line 45-58, read as the router can allow at least one computer located in a part or a sub part of the network 19 to communicate with at least one mobile unit 21);

receiving data packets through the second access port; and

transmitting the data packets to the data terminal equipment via the medium using the packet router (column 3 lines 9-25, read as there is provided a method for sending a data packet from a second network to a wireless terminal via a wireless network, the method comprising the

steps of sending header information from the second network to the wireless terminal, removing

the header of the data packet to provide a data part of the data packet, adding to the data part of

the data packet a wireless header to provide a wireless packet, transmitting the wireless packet

over the wireless network, receiving the wireless packet and removing the wireless header of the

wireless packet to provide the data part of the wireless packet, creating a header for the data part

using the header information received by the wireless terminal and according to a protocol used

at the wireless terminal, and adding the header created to the data part of the wireless packet to

provide a new packet in the protocol).

Bergeron discloses the claimed invention except he fails to explicitly state that these data

packets are from the Internet (Bergeron suggests this in that they disclose Internet protocol).

However, Featherstone et al. (hereinafter Featherstone) disclose that these data packets

are from the Internet (abstract, an Internet connection request may be sent through the selected

port).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have incorporated the teachings of Featherstone into the method of

Bergeron in order to automatically detect a communication connection to a selected one of a

plurality of substantially equivalent communication ports (abstract).

Consider **claim 6**. Bergeron discloses an apparatus for enabling a wireless device to

transmit and receive data receiving through a personal computer, comprising:

a personal computer, coupled to a gateway, comprising a second access port, a second

data link port, and a packet router (column 4 line 44 – column 5 line 3, read as the gateway

allows any wireless device to communicate using the Internet protocol. In addition, the gateway

10 comprises a router whose goal is to route incoming and outgoing traffic. More precisely, the

router can allow at least one computer located in a part or a sub part of the network 19 to

communicate with at least one mobile unit 21); and

a wireless device, coupled to the personal computer and the gateway, comprising a first

data link port and a data terminal equipment, in which the wireless device, using the first data

link port, connects to the personal computer, using the second data link port, via a medium, the

personal computer receives data packets the second access port, and the data packets is

transmitted to the data terminal equipment via the medium using the packet router (column 3

lines 9-25, column 4 line 45-58, read as the router can allow at least one computer located in a

part or a sub part of the network 19 to communicate with at least one mobile unit 21. In addition,

there is provided a method for sending a data packet from a second network to a wireless

terminal via a wireless network, the method comprising the steps of sending header information

from the second network to the wireless terminal, removing the header of the data packet to

provide a data part of the data packet, adding to the data part of the data packet a wireless header

to provide a wireless packet, transmitting the wireless packet over the wireless network,

receiving the wireless packet and removing the wireless header of the wireless packet to provide

the data part of the wireless packet, creating a header for the data part using the header

information received by the wireless terminal and according to a protocol used at the wireless

terminal, and adding the header created to the data part of the wireless packet to provide a new

packet in the protocol).

Bergeron discloses the claimed invention except he fails to explicitly state that these data

packets are from the Internet (Bergeron suggests this in that they disclose Internet protocol).

However, Featherstone et al. (hereinafter Featherstone) disclose that these data packets

are from the Internet (abstract, an Internet connection request may be sent through the selected

port).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have incorporated the teachings of Featherstone into the method of

Bergeron in order to automatically detect a communication connection to a selected one of a

plurality of substantially equivalent communication ports (abstract).

Consider **claims 2 and 7 and as applied to claim 1 and 6, respectively.** Bergeron and

Featherstone disclose wherein in the transmitting step, the network data is delivered from the

second data link port to the first data link port via the medium (column 3 lines 9-25, read as there

is provided a method for sending a data packet from a second network to a wireless terminal via

a wireless network).

Consider **claim 3 and 8 and as applied to claim 2 and 7, respectively.** Bergeron and

Featherstone disclose wherein the medium is Bluetooth, RS-232, USB, or infrared (Featherstone;

paragraph 22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have incorporated the teachings of Featherstone into the invention of

Bergeron in order to allow any type of communication device to communicate with any other

communication device (paragraph 22).

Consider **claim 4 and 9 and as applied to claim 1 and 6, respectively**. Bergeron and Featherstone disclose wherein in the step of providing the wireless device, the wireless device further comprises a first Internet access port for receiving the data packets from the Internet (Featherstone; abstract and paragraph 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Featherstone into the invention of Bergeron in order a method and system for automatically detecting a communication connection to a selected one of a plurality of substantially equivalent communication ports (abstract).

Consider **claim 5 and 10 and as applied to claim 1 and 6, respectively**. Bergeron and Featherstone disclose wherein the wireless device receives data packets from the personal computer via the medium through the first data link port (Bergeron; column 3; lines 9-25, column 4 line 4 – column 5 line 3).

Conclusion

Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to:**

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

> Customer Service Window
> Randolph Building
> 401 Dulany Street
> Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Brandt whose telephone number is (571) 270-1098. The examiner can normally be reached on 7:30a.m. to 5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist/customer service whose telephone number is (571) 272-

2600.

Christopher M. Brandt

C.M.B./cmb

December 20, 2006

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